

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	
)	
v.)	Criminal Action
)	No. 18-mj-2043DPR
RICHARD LESLIE TURNER III,)	
)	
Defendant.)	

ORDER

After the United States orally moved for pretrial detention, a hearing was held in this matter pursuant to § 3142(f), Title 18, United States Code. The defendant was present personally and with his counsel Michelle Moulder, Assistant Federal Public Defender. The United States was represented by Patrick Carney, Assistant United States Attorney.

A complaint and supporting affidavit has been filed in this case. The affidavit supports a finding of probable cause to believe that the offense charged was committed by this defendant. Based on the evidence presented at the hearing, there are no conditions the Court can impose that would reasonably assure the defendant's appearance at all scheduled hearings and the safety of other persons or the community.

The factors to be considered by the Court are enumerated in Title 18, United States Code, Section 3142(g). Regarding the potential for failure to appear, the Court notes defendant's history of failure to appear, mental health history, substance history, and lack of verifiable, legitimate employment.

Regarding the potential danger to the community, the Court notes the nature of the instant offense, defendant's substance abuse history, mental health history, violent behavior history, and commission of the instant offense while on bond. In addition, the Court notes the defendant's history of weapons use (military service).

Based on all the foregoing, the Courts finds by a preponderance of the evidence that the defendant is a risk of flight, and finds by clear and convincing evidence that the defendant is a danger to the community.

IT IS THEREFORE ORDERED that the defendant be, and is hereby detained without bail.

IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDRED.

DATED: July 30, 2018

/s/ David P. Rush
DAVID P. RUSH
United States Magistrate Judge